



**Court of Magistrates (Malta)
As a Court of Criminal Judicature**

Magistrate Dr. Joseph Mifsud LL.D.

**The Police
(Inspector Priscilla Caruana Lee)**

vs

Denys Mazenko

Today 11th February 2020

The Court,

Having seen the charges against Denys Mazenko, holder of passport FF288917, charged that on the 19th Decemeber 2019 between 12:35hrs and 14:00hrs in Valletta;

1. assaulted or resisted by violence or active force not amounting to public violence, PC618 Carl Mifsud and PC203 Wayne Azzopardi, persons lawfully charged with a public duty when in the execution of the law or of a lawful order issued by a competent authority and this in breach of article 96 of Chapter 9 of the Laws of Malta;

2. reviled, threatened or caused bodily harm to PC618 Carl Mifsud and PC203 Wayne Azzopardi persons lawfully charged with a public duty, while in the act of discharging their duty or because of having discharged such duty, or with intent to intimidate or unduly influence them in the discharge of such duty and this in breach of article 95 of Chapter 9 of the Laws of Malta;
3. disobeyed the lawful orders of Insp. Priscilla Caurana Lee, PC618 Carl Mifsud, PC203 Wayne Azzopardi and other police officers, any authority or of any person entrusted with a public service, or hinders or obstructs such person in the exercise of his duties, or otherwise unduly interferes with the exercise of such duties, either by preventing other persons from doing what they are lawfully enjoined or allowed to do, or frustrating or undoing what has been lawfully done by other persons, or in any other manner whatsoever, and this in breach of Article 338(ee) of Chapter 9 of the Laws of Malta;
4. spat any substance or expelled mucus from the nose, or left or deposited human material excretion, including vomit, or left or deposited any animal excretion upon or onto any street or any public place in breach of L.N. 344 of 2005, Schedule 1 Regulation 4(3);
5. wilfully disturbed the public good order or the public peace and this in breach of article 338 (dd) of Chapter 9 of the Laws of Malta;

6. in any public place or place open to the public, was found drunk and incapable of taking care of himself (art 338 (ff) Chp 9 of the Laws of Malta).

Having considered:

Having seen all the acts and the documents exhibited during the course of the proceedings, during the sitting of today the Court heard the accused plead guilty to all the charges except to charge number 1.

The Court cautioned to the accused as to the repercussions of his admission. The Court granted the accused additional time to confer with his legal counsel to decide whether he wanted to confirm his guilty plea or not.

The accused once again pleaded guilty and admitted to all the charged brought against him except charge number 1.

The Court therefore considers this admission as final and definite.

Now, since the accused entered a guilty plea for all the charges except charge number 1, whereas it finds that the charges have been sufficiently proven and hence finds the accused guilty of all the charges brought against him except charge number 1 which was not proven.

For the foregoing reasons, the Court after taking cognizance of Art. 95, 338(ee), 338(dd), 338(ff) of Chapter 9 of the Laws of Malta and LN 344 of 2005, Schedule 1 Regulation 4(3), sentences him of a fine of 850 Euros.

This said fine shall be paid in instalments of 50 Euros monthly.

Dr. Joseph Mifsud

Magistrate

Margaret De Battista

Deputy Registrar